

United States District Court

for

District of Guam

Report for Modifying the Conditions or Term of Supervision with Consent of the Offender

(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Nicolas Techaira Campos** Case Number: **CR 01-00119-001**

Name of Sentencing Judicial Officer: **Honorable John S. Unpingco**

Date of Original Sentence: **September 12, 2002**

Original Offense: Count 1 - Possession or Receipt of a Firearm by an Ex-Felon, in violation of 18 U.S.C. § 922(g)(1)

Original Sentence: 41 months imprisonment and 36 months supervised release with conditions to include that he refrain from any unlawful use of a controlled substances, submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not possess a firearm as defined in 18 U.S.C. § 921, not commit another federal, state, or local crime, comply with the standard conditions of supervised release as set forth by the U.S. Sentencing Commission, refrain from the use of any and all alcoholic beverages, participate in a drug treatment program with drug testing and make a co-payment for treatment, undergo a mental health assessment and treatment if recommended as well as make a co-payment for treatment, maintain gainful employment, perform 200 hours of community service, and pay a \$100 special assessment fee.

Type of Supervision: **Supervised Release** Date Supervision Commenced: **September 29, 2005**

PETITIONING THE COURT

☐ To extend the term of supervision for _____ years, for a total term of _____ years.

☒ To modify the conditions of supervision as follows:

1. The defendant shall perform 16 hours of community service under the direction of the U.S. Probation Office.

CAUSE

On April 30, 2008, this Probation Officer contacted Mr. Gene Villaflores to inquire about Nicolas Campos's employment progress. Mr. Villaflores reported that Mr. Campos had not been employed with his company since late 2007 and Mr. Campos was now working with a former co-worker, Mr. Roy Aguilar. In a subsequent interview, Mr. Aguilar stated that he and Mr. Campos work together as a surveying team and they left the employ of Villaflores around December 2007 due to a lack of contractual work. Aguilar and Campos are subcontracted to perform surveying work for Mr. Robert Ventura who pays their wages.

A review of Mr. Campos's monthly supervision reports for the months of December 2007, January, February and March 2008, showed that he reported being employed with Mr. Villaflores, which is contrary to the information provided by both Villaflores and Aguilar. Based on this false information, the defendant is alleged to have violated *Standard Condition Number 2* to wit: *The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.*

On April 30, 2008, this Officer spoke to the defendant who could not offer a valid explanation why he continued to report that he was working for Mr. Villaflores. He indicated that he "forgot" to report the correct employer. As a sanction, the defendant has agreed to perform 16 hours of community service under the direction of the U.S. Probation Office.

Attached is Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision, with Mr. Campos's consent to the modification.

Reviewed by:

Respectfully submitted,



CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader



MARIA C. CRUZ
U.S. Probation Officer

Date: May 12, 2008

Date: May 12, 2008

THE COURT ORDERS

☐

No Action

☐

The Extension of Supervision as Noted Above.

☐

The Modification of Conditions as Noted Above.

☐

Other

United States District Court

District Guam

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall perform 16 hours of community service under the direction of the U.S. Probation Office.

Witness

Maria Cruz

Maria C. Cruz

U.S. Probation Officer

Signed

Nicolas Campos

Nicolas Techaira Campos

Probationer or Supervised Releasee

May 9, 2008

Date